

Notice of Allowability

Application No.

10/574,622

Applicant(s)

ISHII ET AL.

Examiner

Edward R. Cosimano

Art Unit

2863

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 08 November 2007.
2. ☒ The allowed claim(s) is/are 1-5.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

1. EXAMINER'S COMMENT

1.1 The Oath/Declaration as filed on 05 April 2006 and the Abstract as filed and amended on 05 April 2006 are acceptable to the examiner.

1.2 Applicant's claim for the benefit of an earlier filing date pursuant to 35 U.S.C. 120 is acknowledged.

1.3 The examiner has considered the prior art cited in the base applications.

1.4 Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

1.5 Figures 1, 2, 3, 4, 5, 6 & 7 of the combined set of drawings containing 7 sheets of 7 drawings comprising figures 1, 2, 3, 4 & 6 as presented in the set of drawings filed on 05 April 2006 and figures 5 & 7 as presented in set of drawings filed on 01 June 2007 are acceptable to the examiner.

1.6 Response to applicant's arguments.

1.6.1 The objections and rejection that have not been repeated here in have been over come by applicant's last response.

2. REASONS FOR ALLOWANCE

2.1 The following is a statement of reasons for the indication of allowable subject matter:

A) the prior art, for example:

(1) either Sasaki et al (3,641,274) or Le Goffic et al (4,827,474) or Schinner et al (2004/0081088) or Jain et al (2006/0030345) disclose a machine/process that provides the useful and beneficial function of adjusting the transmission and reception times with in a network in order to synchronize the communications with in a network.

(2) Shoup et al (4,831,558) discloses a machine/process that provides the useful and beneficial function of network of measuring machines/process that use a shared single communication link in order to transmit measurement data/information to a central location/station.

(3) Sakurada et al (JP 2-81550 A) discloses a machine/process that provides the useful and beneficial function of synchronizing a network of at least

two machines/processes that are interconnected by a common shared communication link/bus. To synchronize the network of machines/processes this machine/process controls the operation of the networked machines/processes by using a first networked machine/process as a central machine/process to perform the function of communicating data/information to a number of second networked machines/processes via the common shared communications link/bus. Where the transmitted data/information includes at least the measurement timing data/information and the communications timing data/information that is used by at least one of the second networked machine/process to perform the functions of:

- (a) making measurements of a parameter or variable at a predetermined measurement interval or cycle; and

- (b) transmitting the measurement data/information to the central location/station at a relative predetermined communications slot/time.

(4) either Mishory (GB 2236606 A) or Iwase (10-84365 A) or Zinke et al (2005/0094674) disclose a machine/process that provides the useful and beneficial function of preventing communication conflicts between a number of networked machine/processes share a common communication link.

(5) Goldberg et al (5,873,044) discloses a machine/process that provides the useful and beneficial function of synchronizing a communications network in which a central time signal is used to adjust the clocks being used to transmit and receive data/information over a network according to a communications schedule.

(6) Dupont et al (5,974,106) discloses a machine/process that provides the useful and beneficial function of permitting the adjustment of the synchronization of communication time slot for individual machines/processes within a network from an initial value in order to meet the communications requirements of each of the individual machines/processes within the network.

(7) either Rasanen et al (2002/0093914 or 7,042,844) disclose a machine/process that provides the useful and beneficial function of permitting the adjustment of the transmission/reception data rate for the individual

machines/processes within a network from an initial value by using coded changes with in transmitted frames of data/information to indicate the changes in the transmission/reception data rate for the individual machines/processes within a network.

(8) Pratt et al (7,317,382) discloses a machine/process that provides the useful and beneficial function of adjusting the time at which a remote device uses a communications link in order to communicate data/information over the communications link by using a sensed condition of the remote device in order to determine when to communicate the data/information over the communications link.

B) however, the prior art does not fairly teach or suggest in regard to claim 1 a machine in claim 1 that provides the useful and beneficial function of synchronizing the measurement cycle and communications time slots for each of a number of networked machines/processes with in a network of devices that perform the functions of making measurements and communicating the results of the measurements over a common or shared communication link/bus by providing structures in claim 1 that perform at least the functions of:

(1) a first networked machine/process that functions to perform the sub-functions of:

(a) generating first measurement data/information by measuring a first variable during each cycle of a predetermined measurement cycle; and

(b) outputting the first measurement data/information to the common or shared communication link/bus during each cycle of the predetermined measurement cycle; and

(2) a second networked machine/process that functions to perform the sub-functions of:

(a) detecting the cycle of the predetermined measurement cycle of the first networked machine/process based upon detecting the timing of a

plurality of times that the first networked machine/process has functioned to output the first measurement data/information to the common or shared communication link/bus;

(b) using the detected measurement cycle in order to generate second measurement data/information during each cycle of the detected measurement cycle; and

(c) outputting the second measurement data/information to the common or shared communication link/bus during each cycle of the detected measurement cycle when the communication link/bus is idle.

C) however, the prior art does not fairly teach or suggest in regard to claim 2 a machine in claim 2 that provides the useful and beneficial function of synchronizing the measurement cycle and communications time slots for each of a number of networked machines/processes with in a network of devices that perform the functions of making measurements and communicating the results of the measurements over a common or shared communication link/bus by providing structures in claim 2 that perform at least the functions of:

(1) a first networked machine/process that functions to perform the sub-functions of:

(a) generating first measurement data/information by measuring a first variable during each cycle of a predetermined reference timing cycle; and

(b) outputting the first measurement data/information with an indication of the predetermined reference timing cycle to the common or shared communication link/bus during each cycle of the predetermined reference timing.

Claims 3-5, which depend from claim 2, are allowable for the same reason.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edward R. Cosimano whose telephone number is 571-272-0571. The examiner can normally be reached on 571-272-0571 from 7:30am to 4:00pm (Eastern time).

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3.1 If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Barlow, can be reached on 571-272-2269. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

3.2 Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ERC
01/14/2008

A handwritten signature in black ink, reading "Edward Cosimano". The signature is fluid and cursive, with the first letter of each word being capitalized and prominent.

Edward Cosimano
Primary Examiner